

1 UNITED STATES DISTRICT COURT  
2 DISTRICT OF NEVADA

3 PETER BOTTZECK,

4 Plaintiff

5 v.

6 TEAMSTERS LOCAL 631,

7 Defendant

Case No.: 2:19-cv-00363-APG-EJY

**Order Accepting Report and  
Recommendation and Dismissing Case**

[ECF No. 5]

8 On January 24, 2020, Magistrate Judge Youchah recommended I dismiss this case with  
9 prejudice because plaintiff Peter Bottzeck did not file an amended complaint as directed and  
10 because he has not taken any other action to prosecute this case. ECF No. 5. Bottzeck did not  
11 file an objection. Thus, I am not obligated to conduct a de novo review of the report and  
12 recommendation. 28 U.S.C. § 636(b)(1) (requiring district courts to “make a de novo  
13 determination of those portions of the report or specified proposed findings to which objection is  
14 made”); *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003) (en banc) (“the  
15 district judge must review the magistrate judge’s findings and recommendations de novo *if*  
16 *objection is made*, but not otherwise” (emphasis in original)).

17 I THEREFORE ORDER that Magistrate Judge Youchah’s report and recommendation  
18 **(ECF No. 5) is accepted.** Plaintiff Peter Bottzeck’s complaint (ECF No. 1-1) is DISMISSED  
19 with prejudice. The clerk of court shall enter judgment accordingly and close this case.

20 DATED this 13th day of February, 2020.

21   
22 ANDREW P. GORDON  
23 UNITED STATES DISTRICT JUDGE